



1AP7 Rec'd PCT/PT 06 MAR 2006

CASE 70128

#6

**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Pamela Shirling  
Type or print name

*Pamela Shirling*  
Signature

March 2, 2006  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF  
SALMON, ET AL.

CONFIRMATION NO. 5167

ART UNIT: 1616

APPLICATION NO: 10/536,517

EXAMINER: NOT YET ASSIGNED

I.A. FILING DATE: NOVEMBER 10, 2003

FOR: **N-ALKYNL-2-(SUBSTITUTED PHENOXY) ALKYLAMIDES AND  
THEIR USE AS FUNGICIDES**

**Mail Stop Missing Parts**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Sir:

The Notice to File Missing Parts of Application - Filing Date Granted dated February 9, 2006 (a copy of which is enclosed), has a shortened statutory time set to expire on April 9, 2006.

In response, applicant now submits an original or copy of a fully executed Declaration and Power of Attorney. Please charge the \$130 surcharge fee under 37 CFR §1.16(e) to Deposit Account No. 50-1676 in the name of Syngenta Crop Protection, Inc. The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 50-1676 in the name of Syngenta Crop Protection, Inc.

USPTO Customer No. 26748  
Syngenta Crop Protection, Inc.  
Patent and Trademark Dept.  
410 Swing Road  
Greensboro, NC 27409  
Tel: (336) 632-6049  
**Date: March 2, 2006**

Respectfully submitted,

*Rebecca Gegick*  
Rebecca Gegick  
Attorney for Applicant  
Reg. No. 51,724

03/13/2006 GFREY1 00000115 501676 10536517

01 FC:1617 130.00 DA



## UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO 06 MAR 2006

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/536,517	Roger Salmon	70128

INTERNATIONAL APPLICATION NO.	
PCT/GB03/04834	
I.A. FILING DATE	PRIORITY DATE
11/10/2003	11/26/2002

26748  
 SYNGENTA CROP PROTECTION, INC.  
 PATENT AND TRADEMARK DEPARTMENT  
 410 SWING ROAD  
 GREENSBORO, NC 27409

CONFIRMATION NO. 5167

371 FORMALITIES LETTER



\*OC000000018007367\*

Date Mailed: 02/09/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/25/2005
- Copy of the International Search Report filed on 05/25/2005
- Copy of IPE Report filed on 05/25/2005
- Preliminary Amendments filed on 05/25/2005
- Information Disclosure Statements filed on 05/25/2005
- Oath or Declaration filed on 05/25/2005
- U.S. Basic National Fees filed on 05/25/2005
- Priority Documents filed on 05/25/2005
- Power of Attorney filed on 05/25/2005
- Specification filed on 05/25/2005
- Claims filed on 05/25/2005
- Abstracts filed on 05/25/2005

Docketed For:

By:

4/9/06  
 PS

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - Wrong Title
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

missing items identified in this letter.

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SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

Additionally the following defects have been observed:

- The oath of declaration does not comply with 37 CFR 1.63 in that it:
  - does not identify the foreign application for patent or inventor's certificate for which a claim for priority is made pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/536,517	PCT/GB03/04834	70128